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# **Notice of Allowability**

**Application No.**

09/883,621

**Examiner**

Kimberly D. Nguyen

**Applicant(s)**

HUFFMAN, JOHN W.

**Art Unit**

2876

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 21 April 2004.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 18 June 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## **Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|   | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### ***Amendment***

1. Acknowledgement is made of Response/Amendment filed 21 April 2004.

### ***Allowable Subject Matter***

2. Claims 1-20 are allowed.
3. The following is an examiner's statement of reasons for allowance:

The record of prior art fails to teach a surveillance system including a digital camera; a detection mechanism to cause the digital camera to take one or more photos of a person, in response to detection of an event; a face detection and selection mechanism to determine a best photo of the one or more photos of the person, the best photo including a best picture of the face of the person from which the person is most easily recognized; and a database to store the best photo of the face of the person with at least a current date in which the best photo was taken, the database also storing a plurality of best photos of faces of people.

Carroll teaches a surveillance system comprising a camera, and a detection/sensor mechanism to cause/activate the camera in response to detection of an event of another person enters the residence.

Lyons teaches a method and apparatus to select the best video frame to transmit to a remote station for a residential security monitoring. The security monitoring system including: an alarm system having detectors for detection of an alarm in a structure; at least one camera for capturing image data inside and/or outside the structure; a processor for selecting a subset of the image data upon the occurrence of the alarm based on a predetermined criteria; and a modem for transmitting the subset of image data to a remote location.

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Bursell teaches an imaging system, wherein the image includes legends such as, patent name, medical record number, date and time information. Bursell also teaches image data may be stored in a database.

Lee teaches video universal motion and intrusion detection system, wherein the detection mechanism comprises a video camera, such that a change in a field of view of the video camera to signal an alarm.

However, Carroll, Lyons, Bursell and Lee, taken alone or in combination thereof, fails to teach or fairly suggest a face detection and selection mechanism to determine a best photo of the one or more photos of the person, the best photo including a best picture of the face of the person from which the person is most easily recognized; and a database to store the best photo of the face of the person with at least a current date in which the best photo was taken, the database also storing a plurality of best photos of faces of people.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 571-272-2402. The examiner can normally be reached on Monday-Friday 7:30-4:30.

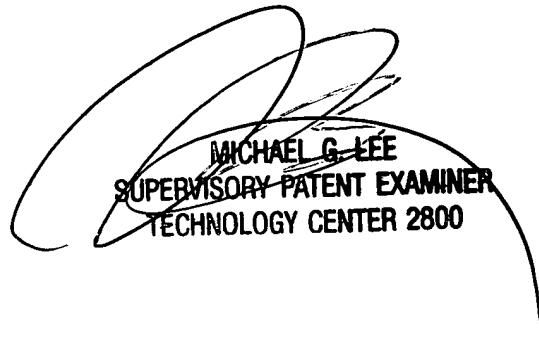
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 571-272-2398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KDN

9 June 2004



**MICHAEL G. LEE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2800**